

REMARKS

The present Amendment amends claims 1-5 and 8-10, cancels claims 6 and 7, and adds claims 11-13. Therefore, the present application has pending claims 1-5 and 8-13.

35 U.S.C. §102 Rejections

Claims 1-10 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,970,830 to Samra, et al. ("Samra"). As indicated above, claims 6 and 7 were canceled. Therefore, this rejection regarding claims 6 and 7 is rendered moot. With regard to the remaining claims 1-5 and 8-10, this rejection is traversed for the following reasons. Applicants submit that the features of the present invention as now more clearly recited in claims 1-10 are not taught or suggested by Samra, whether taken individually or in combination any of the other references of record. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

Amendments were made to the claims to more clearly describe features of the present invention. Specifically, amendments were made to the claims to more clearly recite that the present invention is directed to a customer relationship management system, as recited, for example, in independent claims 1 and 8.

Claims 1-5

The present invention, as recited in claim 1, provides a customer relationship management system including a smart card and a terminal for communication with the smart card. The smart card includes an IC chip, a storage means, and an I/O interface, where the IC chip has a CPU. According to the present invention, the

smart card receives information about the most recent purchase by the customer via the I/O interface from the terminal. The smart card also calculates a first value that represents the customer's latest buying habit, which is based on information about purchases made so far by the customer. The first value is calculated by using a second value representing the customer's buying habit prior to the most recent purchase, where said second value is stored in the storage means, and by using the information received about the most recent purchase. The smart card also sends the calculated first value, as needed, via said I/O interface. The prior art does not disclose all of these features.

The above described features of the present invention, as now more clearly recited in the claims, are not taught or suggested by any of the references of record, particularly Samra, whether taken individually or in combination with any of the other references of record.

Samra teaches a method and system for analyzing marketing campaigns. However, there is no teaching or suggestion in Samra of the customer relationship management system as recited in claim 1 of the present invention.

The Samra method and system analyzes the success of a marketing campaign by using campaign results and an original campaign database. The method includes the steps of profiling results of the marketing campaign against a list of user defined dimensions (analytic models may be used to derive dimensions) and assigning a score to the results of the marketing campaign.

Features of the present invention, as recited in claim 1, include the use of a smart card to perform processing in a customer relationship management system.

According to the present invention, the smart card receives information about the most recent purchase by the customer via the I/O interface from the terminal. The smart card also calculates a first value that represents the customer's latest buying habit, which is based on information about purchases made so far by the customer. The first value is calculated by using a second value representing the customer's buying habit prior to the most recent purchase, where said second value is stored in the storage means, and by using the information received about the most recent purchase. The smart card also sends the calculated first value, as needed, via said I/O interface. Samra does not disclose all of these features.

For example, Samra does not disclose the use of a smart card to perform the processing in the claimed customer relationship management system. Although the Examiner concedes that Samra does not expressly teach the use of a smart card, the Examiner contends that "it is inherent that the database could be stored on a data storage device, including a smart card" (see page 3 of the Office Action). However, the Examiner is reminded that to establish inherency, extrinsic evidence must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill in the art. The mere fact that a certain thing may result from a given set of circumstances is not sufficient. (See MPEP 2112(IV)). Applicants submit that the use of a smart card, in the manner claimed, is not necessarily present in the method and system of Samra. Accordingly, the use of a smart card in Samra's method and system is not inherent, and Samra does not teach or suggest the claimed feature.

By way of further example, Samra does not disclose where the smart card calculates a first value that represents the customer's latest buying habit, which is based on information about purchases made so far by the customer, where the first value is calculated by using a second value representing the customer's buying habit prior to the most recent purchase, and by using the information received about the most recent purchase. As described in column 2, line 40 to column 3, line 2, Samra discloses the use of models, which are predicted customer profiles based upon historic data. The models are embedded within a targeting engine as scores associated with each customer. The scores can be combined to arrive at relevant customer metrics. The use of models or scores in Samra is quite different from the calculation of first value in the present invention. More specifically, Samra fails to teach or suggest calculating a first value by using a second value representing the customer's buying habit prior to the most recent purchase, and by using information received about the most recent purchase.

Therefore, Samra fails to teach or suggest where a smart card "calculates a first value representing said customer' s latest buying habit which is based on information about purchases so far by said customer, wherein said first value is calculated by using a second value representing said customer' s buying habit prior to the most recent purchase, said second value being stored in the storage means, and by using the information received about the most recent purchase" as recited in claim 1.

Claims 8-10

The present invention, as recited in claim 8, provides a customer relationship management system including at least two smart cards and a terminal for communication with each of the at least two smart cards. According to the present invention, the at least two smart cards include a first smart card and a second smart card, and each of the at least two smart cards contain an IC chip having a CPU, a storage means, and an I/O interface. The storage means of the first smart card, which is owned by a customer, stores a first value that represents the customer's buying habit based on information about purchases so far by the customer. The second smart card, which is owned by a shop owner, receives information about the most recent purchase by the customer by the I/O interface from the terminal. The second smart card receives from the first card, via the I/O interface, the value representing the customer's habit so far. The second smart card uses the CPU to calculate a second value that represents the customer's latest buying habit by using the information received about the most recent purchase, and by using the received first value that represents the customer's buying habit so far by the customer. The smart card also sends the calculated second value to the first smart card via the I/O interface. The prior art does not disclose all of these features.

The above described features of the present invention, as now more clearly recited in the claims, are not taught or suggested by any of the references of record, particularly Samra, whether taken individually or in combination with any of the other references of record.

As discussed above, Samra teaches a method and system for analyzing marketing campaigns. However, there is no teaching or suggestion in Samra of the customer relationship management system as recited in claim 8 of the present invention.

One feature of the present invention, as recited in claim 8 includes the use of at least two smart cards, including a first smart card and a second smart card, where each of the at least two smart cards contain an IC chip having a CPU, a storage means, and an I/O interface. Samra does not disclose this feature. Although the Examiner concedes that Samra does not expressly teach the use of a smart card, the Examiner contends that "it is inherent that the database could be stored on a data storage device, including a smart card" (see page 3 of the Office Action). However, as previously discussed, extrinsic evidence must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill in the art. The mere fact that a certain thing may result from a given set of circumstances is not sufficient. (See MPEP 2112(IV)). Applicants submit that the use of at least two smart cards, including a first smart card and a second smart card, in the manner claimed, is not necessarily present in the method and system of Samra. Accordingly, the use of at least two smart cards in Samra's method and system is not inherent, and Samra does not teach or suggest the claimed feature.

Another feature of the present invention, as recited in claim 8, includes where the storage means of the first smart card, which is owned by a customer, stores a first value that represents the customer's buying habit based on information about

purchases so far by the customer, and where the second smart card, which is owned by a shop owner, receives information about the most recent purchase by the customer by the I/O interface from the terminal. Samra does not disclose this feature. As previously discussed, the use of at least two smart cards, including a first smart card and a second smart card, in the manner claimed, is not necessarily present in the method and system of Samra. Accordingly, the use of at least two smart cards in Samra's method and system is not inherent, and Samra does not teach or suggest the claimed feature.

Yet another feature of the present invention includes where the second smart card receives from the first card, via the I/O interface, the value representing the customer's habit so far. The second smart card uses the CPU to calculate a second value that represents the customer's latest buying habit by using the information received about the most recent purchase, and by using the received first value that represents the customer's buying habit so far by the customer. The smart card also sends the calculated second value to the first smart card via the I/O interface. As previously discussed, Samra does not disclose the use of at least two smart cards. Therefore, it follows that Samra does not disclose where the CPU of a second smart card calculates a second value, in the manner claimed.

Therefore, Samra fails to teach or suggest "at least two smart cards, each containing an IC chip having a CPU, a storage means, and an I/O interface, wherein the at least two smart cards include a first smart card and a second smart card" as recited in claim 8.

Furthermore, Samra fails to teach or suggest “wherein the storage means of the first smart card which is owned by a customer stores a first value representing said customer's buying habit based on information about purchases so far by said customer” and “wherein the second smart card (shop card) which is owned by a shop owner receives information about the most recent purchase by said customer via said I/O interface from the terminal” as recited in claim 8.

Even further, Samra fails to teach or suggest “wherein the second smart card receives the value representing said customer's buying habit so far by said customer from said first card via said I/O interface, uses said CPU to calculate a second value representing said customer's latest buying habit by using the information received about the most recent purchase and by using the received first value representing said customer's buying habit so far by said customer, and then returns said calculated second value to the first smart card via said I/O interface” as recited in claim 8.

Therefore, Samra does not teach or suggest the features of the present invention, as recited in claims 1-5 and 8-10. Accordingly, reconsideration and withdrawal of the 35 U.S.C. §102(e) rejection of claims 1-5 and 8-10 as being anticipated by Samra are respectfully requested.

The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the references used in the rejection of claims 1-5 and 8-10.

New Claims 11-13

New claims 11-13 were added to more clearly describe features of the present invention. Specifically, amendments were made to the claims to more clearly recite that the present invention is directed to a customer relationship management system, as recited, for example, in dependent claims 11 and 12, and a smart card, as recited, for example, in independent claim 13.

Claims 11 and 12 are dependent on claim 1. Therefore, Applicants submit that dependent claims 11 and 12 are allowable for at least the same reasons discussed above regarding independent claim 1. Regarding independent claim 13, Applicants submit that the features of claim 13 are not taught or suggested by the prior art.

The present invention, as recited in claim 13, provides a smart card including an IC chip having a CPU, a storage means, and an I/O interface connected to a terminal. The CPU receives information about the most recent purchase by a customer, via the I/O interface from the terminal. The CPU also calculates a first value representing the customer's latest buying habit which is based on information about purchases made so far by the customer. The first value is calculated using a second value that represents the customer's buying habit prior to the most recent purchase, where said second value is stored in the storage means, and is calculated using the received information about the most recent information about the most recent purchase, and a time difference between a previous purchase and the most recent purchase, and sends the calculated first value as needed via the I/O interface. The prior art does not disclose all of these features.

The above described features of the present invention, as now more clearly recited in the claims, are not taught or suggested by any of the references of record, particularly Samra, whether taken individually or in combination with any of the other references of record.

For example, Samra fails to teach or suggest a smart card including a CPU, where the CPU "calculates a first value representing said customer's latest buying habit which is based on information about purchases so far by said customer, wherein said first value is calculated using a second value representing said customer's buying habit prior to the most recent purchase, said second value being stored in the storage means, by using the received information about the most recent purchase, and by using a time difference between a previous purchase and the most recent purchase" as recited in claim 13.

In view of the foregoing amendments and remarks, Applicants submit that claims 1-5 and 8-13 are in condition for allowance. Accordingly, early allowance of claims 1-5 and 8-13 is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Mattingly, Stanger, Malur & Brundidge, P.C., Deposit Account No. 50-1417 (referencing attorney docket no. 501.41162X00).

Respectfully submitted,

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